

**CALENDAR ITEM  
C05**

A 8,15

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10/01/02  
WP 6445.1  
L. Burks

**ASSIGNMENT AND AMENDMENT OF LEASE**

**LESSEE/ASSIGNOR:**

Mary Ashley  
dba The Spot Resort  
P. O. Box 965  
Isleton, California 95641

**ASSIGNEE:**

Craig J. Chaffee  
714 Rubier Way  
Rio Vista, California 94571

**AREA, LAND TYPE, AND LOCATION:**

1.11 acres, more or less, of filled tide and submerged lands in the Sacramento River at Brannan Island, near the city of Rio Vista, Sacramento County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing 24 foot by 64 foot mobile home site, complete with septic and leach line; seven 18 foot by 45 foot parking spaces for trailers or recreational vehicles; seven vehicle parking spaces; and camping and picnic area.

**LEASE TERM:**

20 years, beginning January 1, 1980, which expiration date was extended to October 9, 2002, pursuant to Commission action on September 19, 2000.

**CONSIDERATION:**

\$3,627.39 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

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**PROPOSED AMENDMENT:**

1. Amend lease to include the drill and installation of one 4-inch domestic water well, with pump system. In the event of a failed well bore, the site will be abandoned pursuant to Sacramento County regulations. All other terms and conditions of the lease shall remain in effect without amendment.

**OTHER PERTINENT INFORMATION:**

1. On June 23, 1983, the Commission authorized issuance to Sadie Ashley and Mary Ashley of General Lease – Commercial Use No. PRC 6445.1 for operation of the RV park. Sadie Ashley has passed away. Craig Chaffee has submitted an application for continued use of the existing facility as an RV park. The existing RV park will be used solely for overnight camping trailers, small motor homes, or pickup campers, which will be using electric hookups only. All RV's staying in the park will be self-contained with the nearest dumpsite located just minutes away at Brannan Island State Park or just across the bridge in Rio Vista. The existing mobile home will remain as an office and caretaker unit for the purpose of managing the park. Currently the RV's use the existing sewer and water that are located on the adjacent parcel owned by the Weber Family. There is a signed agreement with the Weber Family for the use of these utilities; however, this agreement will expire on October 9, 2002, and will not be renewed. A new water well is proposed to be drilled on the lease premises to accommodate the park users which will obviate the need to use the adjacent owner's utilities.
2. As of October 9, 2002, when the agreement with the Weber Family expires, there will be no supply of water to the RV park so the Assignee is requesting permission be granted to install the water well in order to continue operations at the park. Concurrently, the Assignee is in negotiations for a new lease, but in the interim, permission to drill the water well will facilitate operations at the park.
3. **As to the Assignment:**  
Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

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Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, sections 15060 (c)(3) and 15378.

4. **As to the Amendment (Water Well):**

Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction of Small Structures; Title 14, California Code of Regulations, section 15303.

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

**EXHIBITS:**

- A. Land Description
- B. Location Map
- C. Site Plan

**PERMIT STREAMLINING ACT DEADLINE:**

September 26, 2002

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

**AS TO THE ASSIGNMENT:**

FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

**AS TO THE AMENDMENT (WATER WELL):**

PURSUANT TO THE COMMISSION'S DELEGATION OF AUTHORITY AND THE STATE CEQA GUIDELINES (TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061), THE STAFF HAS DETERMINED THAT THIS ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA AS A CATEGORICALLY EXEMPT PROJECT. THE

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PROJECT IS EXEMPT UNDER CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15303.

AUTHORITY: PUBLIC RESOURCES CODE SECTION 21084 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15300.

**AUTHORIZATION:**

1. AUTHORIZE THE ASSIGNMENT OF LEASE NO. PRC 6445.1, A GENERAL LEASE - COMMERCIAL USE, OF FILLED TIDE AND SUBMERGE LANDS DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, FROM MARY ASHLEY TO CRAIG J. CHAFFEE; EFFECTIVE OCTOBER 1, 2002.
2. AUTHORIZE THE AMENDMENT OF GENERAL LEASE – COMMERCIAL USE PRC 6445.1, EFFECTIVE OCTOBER 1, 2002, WHICH AMENDS LEASE TO DRILL AND INSTALL A WATER WELL, WITH PUMP SYSTEM.
3. ALL OTHER TERMS AND CONDITIONS OF SAID LEASE SHALL REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.